

(e) (2), (i) (2) and (k) to appear on the label, namely, name and address of manufacturer, packer, or distributor, quantity of contents, ingredient statements, and declaration of artificial flavor and color, was not prominently placed on the label with such conspicuousness (as compared with other words and statements on the label) as to render such information likely to be read by the ordinary individual under customary conditions of purchase and use.

DISPOSITION: 11-15-62. Default—delivered to charitable institutions.

SIRUP, SUGAR, AND RELATED PRODUCTS

28637. Grenadine sirup. (F.D.C. No. 47590. S. Nos. 42-540 T, 43-280 T.)

QUANTITY: 29 cases, 12 $\frac{4}{5}$ -pt. btls. each, at Pennsauken, N.J.

SHIPPED: 2-28-62 and 3-15-62, from Brooklyn, N.Y., by Virginia Dare Extract Co., Inc.

LABEL IN PART: (Btl.) "Virginia Dare * * * Grenadine Syrup * * * Mfd. by Virginia Dare Extract Co., Inc., Brooklyn, N.Y."; " $\frac{4}{5}$ Pint" was embossed in the glass.

RESULTS OF INVESTIGATION: Examination showed that the article was short in volume.

LIBELED: 5-15-62, Dist. N.J.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents; 403(i) (2)—the label failed to state the common or usual name of each ingredient, since the ingredient sodium benzoate was not declared; and 403(k)—the article contained a chemical preservative, sodium benzoate, and its label failed to state that fact.

DISPOSITION: 6-20-62. Default—delivered to a charitable institution.

28638. Sugar. (F.D.C. No. 48047. S. No. 67-279 T.)

QUANTITY: 65 100-lb. bags, at Pinconning, Mich., in possession of Heinr Franck Sons, Inc.

SHIPPED: 3-13-61, from Chicago, Ill.

LIBELED: 10-1-62, E. Dist. Mich.

CHARGE: 402(a) (3)—contained rodent urine; and 402(a) (4)—held under insanitary conditions.

DISPOSITION: 11-30-62. Default—destruction.

28639. Honey. (F.D.C. No. 47661. S. Nos. 56-436/7 T.)

QUANTITY: 53 cases, 24 jars each, at Bronx, N.Y.

SHIPPED: Between 8-14-61 and 4-3-62, from St. Paris, Ohio, by Ohio Apiaries Coop. Association.

LABEL IN PART: (Jar) "Salvati Brand Pure Honey Net Wt. 8 Oz. Distributed by Salvati Food Products Co., Inc., New York, N.Y."

RESULTS OF INVESTIGATION: Examination showed that the article was short weight.

LIBELED: 6-14-62, S. Dist. N.Y.

CHARGE: 403(e) (2)—when shipped, the article failed to bear a label containing an accurate statement of the quantity of contents.

DISPOSITION: 8-8-62. Consent—claimed by Salvati Food Products Co., Inc., and relabeled.

28640. Honey. (F.D.C. No. 47736. S. No. 77-169 T.)

QUANTITY: 50 supers (wood frames), each containing 50 lbs. of honey, at Tallahassee, Fla.

SHIPPED: 6-29-61, from Pearson, Ga.

LIBELED: 7-16-62, N. Dist. Fla.

CHARGE: 402(a) (3)—contained insects, insect larvae, and rodent hairs while held for sale.

DISPOSITION: 9-20-62. Default—destruction.

DAIRY PRODUCTS

BUTTER

28641. Butter. (F.D.C. No. 47641. S. No. 40-223 V.)

QUANTITY: 111 64-lb. ctns., at Elmhurst, Long Island, N.Y.

SHIPPED: 9-29-62, from Madison, Nebr., by Madison Cooperative Creamery.

LABEL IN PART: (Ctn.) "Creamery Butter * * * Keep Refrigerated Sweet Butter."

RESULTS OF INVESTIGATION: Inspection at the Madison Cooperative Creamery showed that the firm used filthy cream in the manufacture of this butter.

LIBELED: 10-11-62, E. Dist. N.Y.

CHARGE: 402(a) (3)—contained insect filth and other filth when shipped.

DISPOSITION: 12-10-62. Consent—claimed by J. R. Kramer, Inc., Elmhurst, L.I., N.Y., and released under bond to be denatured.

28642. Butter. (F.D.C. No. 46654. S. Nos. 8-727/8 R, 35-471/2 R, 36-235 R, 36-237 R, 37-464/5 R, 39-521 R.)

INFORMATION FILED: 1-25-62, Dist. Nebr., against Sugar Creek Creamery, Div. of National Dairy Products Corp., t/a Harding Creamery Co., a corporation, Omaha, Nebr.

SHIPPED: Between 8-13-60 and 9-14-60, from Omaha, Nebr., to Philadelphia, Pa., St. Louis, Mo., Newark, N.J., and Albany, New York City, Troy, and Queens Village, N.Y.

LABEL IN PART: (Pkg.) "Beverly Farms Brand Butter 1 Pound Net Packed by Sugar Creek Creamery Company Division National Dairy Products Corporation Danville, Illinois"; (pkg.) "Bonnie Farms 'Freshly Churned' Packed By Sugar Creek Creamery Division National Dairy Products Corporation Danville, Ill., 1 Lb. Net Weight"; (ctns.) "Butter 64 Lbs. Net. Churned By Harding Creamery Omaha, Nebraska"; (ctn.) "Salt 1 Lb. Print Capital"; (pkg.) "Capital Brand Butter One Pound Net Weight Packed By Harding Cream Division Omaha, Nebraska"; (pkg.) "Meramec Farms Butter Net Wt. 1 Lb. Packed By Sugar Creek Creamery Division National Dairy Products Corporation, Danville, Illinois."

CHARGE: 402(a) (3)—manufactured from decomposed cream and contained insects, insect fragments, mites, and rodent hairs when shipped.

PLEA: Nolo contendere.

DISPOSITION: 12-18-62. \$450 fine.